

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

COREY HARVEY, ET AL.

Defendants.

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CASE NO. 2:06-CR-271-WKW

UNOPPOSED MOTION TO SEVER DEFENDANTS
and
MOTION TO CONTINUE

Comes now the Defendant Corey Harvey and moves the Court to sever the trial of Defendant Harvey from that of his co-indictee, Preston Grice, and to continue the trial of Defendant Harvey to a subsequent term of Court, and as grounds therefor says as follows:

1. The Government and Defendant Harvey have engaged in discussions toward a plea agreement for several weeks. During that time, some of the case agents involved in earlier discussions and debriefings have changed duties such that new debriefings have occurred. The latest such debriefing was held this date, and there is a need for additional time to investigate certain issues which have arisen therein.

2. Defendant Harvey has determined that he will, upon reaching a plea agreement, enter his plea of guilt in this cause. He has already agreed in principle to testify in this cause for the Government against Preston Grice as scheduled.

3. Due to the circumstances described, there is insufficient time to investigate further, complete a plea agreement and enter a plea within time required in the current scheduling order.

4. Defendant Harvey believes, and the government, per A.U.S.A. Susan Redmond, agrees, that severance and continuance will result in the trial of the co-defendant as scheduled and also the entry of a plea by Defendant Harvey. It will also result in a shorter trial of this cause, thus aiding the interest of judicial economy.

WHEREFORE, premises considered, Defendant Corey Harvey moves the Court to sever the defendants in this cause and to continue the trial of Mr. Harvey to a date subsequent.

Respectfully submitted on this the 23rd day of October, 2007.

s/Bruce Maddox
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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of October, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to appropriate parties.

s/Bruce Maddox
Of Counsel